

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Ranferi Sanchez Torres

Case Number: 2:10CR02079-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: December 7, 2010

Original Offense: Possession of a Firearm by Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 30 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: November 22, 2013

Defense Attorney: Federal Defender's Office

Date Supervision Expires: November 21, 2015

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Standard Condition # 2:</u> The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.</p> <p><u>Supporting Evidence:</u> The offender failed to provide a monthly supervision report within the first 5 business days in January 2014.</p>
2	<p><u>Standard Condition # 9:</u> The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.</p> <p><u>Supporting Evidence:</u> According to Yakima (Washington) Police Department incident report number 13Y051508, on December 13, 2013, police officers were patrolling the area near the Knights Inn in Yakima, Washington. The incident reported noted, the Knights Inn is in an area known by law enforcement for high drug activity, and an area where gang members have been contacted in the past.</p>

The officers observed several subjects walking up a stairwell at the Knights Inn. One of those subjects, Jose Efren Silva, was known to the officers as a Florencia 13 Sureno gang member, with an extensive criminal history. The officers observed Mr. Silva with an unknown item in his hands and entering into a motel room on the second floor. As the

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officers exited their vehicle, Mr. Silva came out of the motel room. The officers contacted Mr. Efren Silva, confirmed his identity, and allowed him to leave the area. Officers then confirmed the motel room Mr. Silva exited was registered to a female named Alicia Durbin.

Officers knocked on the door of the room Mr. Silva had exited to confirm if there were any other individuals in the room. Approximately 4 minutes later, Ruby Silva; Raymond "Grinch" Guerrero Garcia; and Mr. Torres exited the motel room. All three individuals are admitted Sureno gang members. Raymond "Grinch" Guerrero Garcia was serving a term of supervised release in Yakima, Washington, for Federal firearms-related convictions at the time of this contact.

Officers confirmed with the Washington State Department of Corrections (DOC), that Mr. Torres was under supervision with that agency. DOC also confirmed Mr. Torres had conditions which prohibited him from gang involvement and wearing specific gang attire. Subsequently, Mr. Torres was arrested for the DOC violation. Ruby Silva and Raymond "Grinch" Guerrero Garcia were released at that time.

A clerk at the Knights Inn was contacted and asked the officers to remove anyone or any illegal contraband from the room. Officers entered the room and located a beanie cap, with a hard object inside of it, between the mattress and box spring of the only bed in the room. At that time, officers secured a search warrant. As a result of the search in the motel room, a Chiappa Firearms .22 LR pistol was located.

Raymond "Grinch" Guerrero Garcia was located in a vehicle and questioned about the firearm. Mr. Guerrero denied the gun belonged to either he or Mr. Torres, and claimed the firearm belonged to Mr. Efren Silva. Furthermore, Mr. Garcia told officers it was Friday the 13th, the Florencia 13 birthday. He reported Mr. Efren Silva wanted to "put in work," or do a drive-by shooting. The incident report noted that "putting in work" means conducting criminal acts, usually drive-by shootings on rival gang members.

It should be noted, Mr. Guerrero was arrested for felon in possession of a firearm on December 13, 2013.

3 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: As noted in violation #2, Mr. Torres was arrested for allegedly violating his conditions of DOC supervision on December 13, 2013. On January 13, 2014, the community corrections officer (CCO) assigned to supervise Mr. Torres with the Washington State Department of Corrections (DOC) informed this officer of his arrest on December 13, 2013. The CCO advised Mr. Torres was sanctioned to serve 20 days in custody for violating the conditions of his DOC supervision. Mr. Torres completed the aforementioned sanction on January 2, 2014.

On January 14, 2014, Mr. Torres' assigned CCO contacted this officer and advised that Mr. Torres was in his office. At that time, Mr. Torres reported his contact with law enforcement on December 13, 2013, to this officer.

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- 4 **Special Condition # 14:** You shall not associate with any member, prospects, or associate member of any gang without the prior approval of the U.S. Probation Office. If you are found to be in the company of such individuals while wearing the clothing, colors, or insignia of a gang, the Court will presume that this association was for the purpose of participating in gang activities.

Supporting Evidence: On December 13, 2013, Mr. Torres was contacted by the Yakima (Washington) Police Department in Yakima, Washington, while associating with at least two admitted Sureno gang members. Upon being confronted by this officer on January 14, 2014, Mr. Torres acknowledged on December 13, 2013, he was in Yakima visiting his brother and decided to visit an individual he had met while in prison and knew to be a Florencia 13 gang member.

- 5 **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On December 12, 2013, Mr. Torres failed to report for random drug testing at Okanogan Behavioral Health.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/15/2014

s/Erik Carlson

Erik Carlson

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

1/16/14

Date